

Message Text

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ACTION IO-13

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IO FOR PALMER

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E.O. 11652: N/A
TAGS: ILO, PLAB
SUBJ: RESOLUTIONS SUBMITTED TO 63RD SESSION OF INTERNATIONAL
LABOR CONFERENCE

REF: GENEVA 3824

FOLLOWING IS TEXT OF RESOLUTION 1 (SEE PARA 2 REFTEL):

BEGIN TEXT

RESOLUTION CONCERNING THE STRENGTHENING OF TRIPARTISM IN ILO
SUPERVISORY PROCEDURES OF INTERNATIONAL STANDARDS AND
TECHNICAL COOPERATION PROGRAMMES
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THE GENERAL CONFERENCE OF THE ILO:

NOTING THAT THE ADOPTION OF ILO STANDARDS AND THEIR UNIVERSAL
APPLICATION IN THE FIELD OF THOSE HUMAN RIGHTS WHICH ARE WITHIN
THE COMPETENCE OF THE ILO - SUCH AS FREEDOM OF ASSOCIATION,
ELIMINATION OF DISCRIMINATION IN EMPLOYMENT AND OCCUPATION AND

THE ABOLITION OF FORCED LABOUR - CONTINUES TO BE OF UTMOST IMPORTANCE AND SHOULD EXERT A LASTING INFLUENCE ON THE SOCIAL LEGISLATION OF ALL COUNTRIES SO THAT THOSE RIGHTS ARE FULLY RESPECTED;

NOTING THAT THE EFFECTIVENESS OF TRIPARTITE ACTION IN THE APPLICATION OF INTERNATIONAL LABOUR STANDARDS HAS BEEN GIVEN AN IMPETUS BY THE ADOPTION BY THE 61ST (1976) SESSION OF THE INTERNATIONAL LABOUR CONFERENCE OF A CONVENTION AND RECOMMENDATION CONCERNING TRIPARTITE CONSULTATIONS TO PROMOTE THE IMPLEMENTATION OF INTERNATIONAL LABOUR STANDARDS, AND NATIONAL ACTION RELATING TO THE ACTIVITIES OF THE ILO;

CONSIDERING THAT THE CONTINUOUS VIOLATIONS OF THESE HUMAN RIGHTS ANYWHERE CONSTITUTE A THREAT TO FREEDOM, JUSTICE AND SOCIAL PROGRESS EVERYWHERE;

RECALLING THE RESOLUTION CONCERNING THE STRENGTHENING OF TRIPARTISM IN THE OVERALL ACTIVITIES OF THE ILO ADOPTED BY THE INTERNATIONAL LABOUR CONFERENCE AT ITS 56TH (1971) SESSION, WHICH CONFIRMED THAT THE TRIPARTITE ELEMENT IN THE ILO HAS PROVED TO BE THE MOST SOLID FOUNDATION FOR ITS SUCCESS, AS EXEMPLIFIED BY THE DEVELOPMENT OF THE INTERNATIONAL LABOUR CODE AND THE FUNCTIONING OF SUPERVISORY MACHINERY IN RESPECT OF STANDARDS WHICH IS WITHOUT PARALLEL IN THE FAMILY OF NATIONS;

NOTING WITH GRAVE CONCERN THAT CERTAIN COUNTRIES, WHILE EXTOLLING FREEDOM OF EXPRESSION AND OF ASSOCIATION AS WELL AS OTHER BASIC RIGHTS PROCLAIMED BY ILO CONVENTIONS, DO NOT RESPECT LIMITED OFFICIAL USE

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THEM AND HAVE CONSISTENTLY REFUSED TO SUBMIT TO THESE PROCEDURES OR TO EXTEND THEIR COLLABORATION TO THE ILO;

NOTING FURTHER THAT AN INSTITUTIONALISED PARTICIPATION OF EMPLOYERS' AND WORKERS' ORGANISATIONS IS ESSENTIAL TO PROVIDE THE OBJECTIVITY AND EFFECTIVENESS NEEDED FOR THESE PROCEDURES;

CONSIDERING THAT ABSOLUTE IMPARTIALITY IN THE ILO SUPERVISION OF INTERNATIONAL STANDARDS IS THE KEY TO THEIR CREDIBILITY IN ORDER TO ENSURE THAT OBLIGATIONS FREELY CONTRACTED ARE COMPLIED WITH AND REMAIN THE SAME FOR ALL COUNTRIES IRRESPECTIVE OF THEIR SIZE OR ECONOMIC SYSTEM;

CONSIDERING THAT INQUIRES CONDUCTED BY THE MCNAIR COMMITTEE IN 1955-56 AND SUBSEQUENTLY BY THE ILO IN A NUMBER OF MEMBER STATES HAVE HELPED IN ASSESSING THE EXTENT TO WHICH FREEDOM OF ASSOCIATION PREVAILED AND THAT SIMILAR INQUIRES COVERING CONVENTIONS IN THE FIELD OF HUMAN RIGHTS WITHIN THE COMPETENCE OF THE ILO COULD FURTHER CONTRIBUTE TO THEIR BEING

UNIVERSALLY APPLIED;

NOTING, IN THE LIGHT OF PAST EXPERIENCE, THAT THERE MAY BE A NEED TO FIND IN SPECIAL CASES A FORM OF INQUIRY ADAPTED TO THE PARTICULAR CIRCUMSTANCES WITHIN A TRIPARTITE FRAMEWORK AND WITHOUT JEOPARDISING OBJECTIVITY, THUS STRENGTHENING THE ILO'S CAPACITY TO PURSUE ITS OBJECTIVE IN THE FIELD OF HUMAN RIGHTS;

AFFIRMING THAT THE ILO HAS A LEGITIMATE COMPETENCE TO INVESTIGATE VIOLATIONS OF HUMAN RIGHTS, FREEDOM OF ASSOCIATION, ELIMINATION OF DISCRIMINATION IN EMPLOYMENT AND OCCUPATION AND THE ABOLITION OF FORCED LABOUR, PROVIDED IT DOES NOT IMPINGE ON PREROGATIVES AND RESPONSIBILITIES ASSIGNED TO THE UN, PARTICULARLY IN THE POLITICAL FIELD;

WELCOMING THE FACT THAT THE TRIPARTITE ELEMENT IS GRADUALLY LIMITED OFFICIAL USE

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BECOMING REFLECTED IN THE ILO'S TECHNICAL COOPERATION ACTIVITIES AS EXEMPLIFIED BY THE POSITIVE RESULTS ACHIEVED THROUGH VISITS OF TRIPARTITE EVALUATION TEAMS ON TECHNICAL COOPERATION PROGRAMMES OF THE ILO IN GHANA AND COLOMBIA;

I. DECLARES THAT SCRUPULOUS OBSERVANCE OF THE TRIPARTITE STRUCTURE OF THE ILO WITHIN ITS CONSTITUTIONAL RESPONSIBILITY IN THE PROMOTING OF SOCIAL PROGRESS IN THE WORLD CONSTITUTES THE BEST MEANS OF ENSURING THAT THE WORK OF THE ILO, BOTH IN ITS STANDARD-SETTING AND ITS OPERATIONAL ACTIVITIES, IS CARRIED OUT OBJECTIVELY AND EFFECTIVELY;

II. INVITES THE GOVERNING BODY OF THE ILO:

(A) TO CONSIDER ALL MEASURES - CONSTITUTIONAL AS WELL AS INFORMAL - TO ENSURE COMPLIANCE WITH ILO INSTRUMENTS AND PROMOTION OF THE APPLICATION IN ALL COUNTRIES OF STANDARDS CONCERNING HUMAN RIGHTS, PARTICULARLY FREEDOM OF ASSOCIATION AND ELIMINATION OF DISCRIMINATION IN EMPLOYMENT AND OCCUPATION AND THE ABOLITION OF FORCED LABOUR;

(B) TO STRENGTHEN THE PARTICIPATION OF EMPLOYERS' AND WORKERS' ORGANISATIONS IN THE SUPERVISION OF THE APPLICATION OF CONVENTIONS AND RECOMMENDATIONS;

(C) TO INCREASE TECHNICAL ASSISTANCE PROVIDED, ON REQUEST, TO LABOUR DEPARTMENTS, EMPLOYERS' AND WORKERS' ORGANISATIONS OF MEMBER STATES SO AS TO PROMOTE ADEQUATE INSTITUTIONAL ARRANGEMENTS FOR CONTINUOUS AND GENUINE TRIPARTITE COOPERATION AT THE NATIONAL LEVEL;

(D) TO STUDY THE POSSIBILITY OF REVIVING INQUIRES - WITH
DIRECT PARTICIPATION OF EMPLOYERS' AND WORKERS' ORGANISATIONS
- SIMILAR TO THOSE CONDUCTED IN THE PAST BY THE ILO IN THE FIELD
OF FREEDOM OF ASSOCIATION AND EXTENDING TO OTHER HUMAN RIGHTS
WITHIN THE COMPETENCE OF THE ILO;
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(E) TO ENCOURAGE MEMBER STATES, CONFERENCE DELEGATES AND
EMPLOYERS' AND WORKERS' ORGANISATIONS TO PAY INCREASING HEED
TO THE OBSERVANCE OF THOSE HUMAN RIGHTS WITHIN THE COMPETENCE
OF THE ILO IN ALL MEMBER STATES, IRRESPECTIVELY UTILISING TO
THIS END ALL EXISTING PROCEDURES - CONSTITUTIONAL AS WELL AS
INFORMAL - ENSURING, HOWEVER, THAT THESE PROCEDURES ARE UTILISED
IN SUCH A MANNER AS TO GUARANTEE THE OBJECTIVITY
WHICH MUST BE SHOWN BY THE ILO IN THIS FIELD;

(F) TO URGE GOVERNMENTS OF MEMBER STATES:

(I) TO ASSOCIATE MORE CLOSELY EMPLOYERS' AND WORKERS'
ORGANISATIONS IN THE ELABORATION, IMPLEMENTATION AND CONTROL OF
ALL TECHNICAL COOPERATION ACTIVITIES AT THE NATIONAL LEVEL;

(II) TO COOPERATE FULLY WITH THE TRIPARTITE EVALUATION TEAMS
ON TECHNICAL COOPERATION PROGRAMMES OF THE ILO AND TO BEAR IN
MIND THE RECOMMENDATIONS MADE BY THESE TEAMS FOR FUTURE
GUIDANCE.

END TEXT.SORENSEN

NOTE BY OC/T: TEXT AS RECEIVED.

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